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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JOHN W.
MCCAULEY IN SUPPORT OF
PLAINTIFF WAYMO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL EXHIBIT 1 TO THE
DECLARATION OF JORDAN R. JAFFE
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S OPPOSITION TO DEFENDANTS'
MOTION *IN LIMINE* NO. 12 TO
EXCLUDE EVIDENCE OF TRADE
SECRET MISAPPROPRIATION BASED
ON ANYTHING OTHER THAN THE
ALLEGED DOWNLOADING OF FILES
BY ANTHONY LEVANDOWSKI**

1 I, John W. McCauley, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Waymo’s Administrative Motion to File Under
7 Seal information in its Exhibit 1 to the Declaration of Jordan R. Jaffe In Support of Waymo LLC’s
8 Opposition to Defendants Uber Technologies, Inc. and Ottomotto LLC’s Motion *in limine* No. 12 (the
9 “Administrative Motion”). The Administrative Motion seeks an order sealing the following materials:

Document	Portions to Be Filed Under Seal	Designating Party
Portions of Exhibit 1 to the Declaration of Jordan R. Jaffe In Support of Waymo LLC’s Opposition to Defendants Uber Technologies, Inc. and Ottomotto LLC’s Motion <i>in limine</i> No. 12	Portions highlighted in red	Waymo

15 3. Exhibit 1 to the Jaffe Declaration contains or refers to trade secret and confidential
16 business information, which Waymo seeks to seal. Portions of Exhibit 1 (portions highlighted in red)
17 contain, reference, and/or describe Waymo’s asserted trade secrets. Specifically, the highlighted
18 portions describe proprietary information gathered from technical leads across the entire self-driving
19 program, including descriptions and names of software, company goals for its technical development,
20 specific technical design goals, and identification of risks. I understand that these trade secrets are
21 maintained as secret by Waymo (Dkt. 25-47) and are valuable as trade secrets to Waymo’s business
22 (Dkt. 25-31). The public disclosure of this information would give Waymo’s competitors access to in-
23 depth descriptions—and analysis—of the functionality of Waymo’s autonomous vehicle system. If
24 such information were made public, I understand that Waymo’s competitive standing would be
25 significantly harmed. Waymo’s request to seal is narrowly tailored to only the confidential
26 information.
27
28

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from John W. McCauley.

/s/ Charles K. Verhoeven
Charles K. Verhoeven